

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

FILED STATE OF NEW MEXICO
DISTRICT COURT

00 DEC 20 PM 2:37

**STATE OF NEW MEXICO, *ex rel.*
State Engineer**

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JC-ACE

**RIO CHAMA STREAM SYSTEM
Rio Gallina, Section 5**

**NEW MEXICO'S MOTION TO JOIN
ADDITIONAL PARTIES DEFENDANT**

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in the Rio Gallina Section of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within the Rio Gallina Section.

DATED: December 20, 2000

Respectfully submitted,



EDWARD G. NEWVILLE
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Office of the State Engineer
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(505) 827-6150

CERTIFICATE OF SERVICE

I certify that copies of New Mexico's Motion to Join Additional Parties Defendant were mailed to all persons on the Rio Gallina Service List on December 20, 2000.



Edward G. Newville

EXHIBIT A

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
Cordova, Alfonso Jr.	CHGA-02-0012	HC 78, Box 10, Gallina NM 87017
Chacon, Jose B.	CHGA-02-0004	413 Christine Dr. NE, Rio Rancho NM 87124
Chacon, Fulgencio	CHGA-02-0004	P.O. Box 24, Gallina NM 87017
Maestas, Reina	CHGA-03-0016	P.O. Box 131, Gallina NM 87017

